

m/023/024



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
FILLMORE FIELD OFFICE
35 East 500 North
Fillmore, UT 84631



In Reply Refer to:
3600
(U-010)
UTU-079462

April 29, 2003

AARON BUFMAK
ASSISTANT PLANT ENGINEER
ASH GROVE CEMENT COMPANY
PO BOX 51
NEPHI UT 84648

Dear Mr. Bufmack:

We have completed a Determination of NEPA Adequacy, and made a finding that no additional environment analysis needs to be made before we can approve your most recent proposal to purchase shale from the County Canyon Pit. As soon as the appraisal for the material is evaluated and possibly adjusted, we will issue a decision on the stipulations and monetary amount of the contract.

The stipulations that will be in the decision are as follows:

1. You shall control excessive dust by watering the site and roads as needed or required by the Authorized Officer.
2. The quarry area will be recontoured to approximate the original contour. No final slope will exceed 3(horizontal):1(vertical).
3. Any trees that must be removed will be placed in the topsoil stockpile to decompose.
4. The following seed mixture will be drilled at the rate of ten (10) ponds per acre, "Certified" pure live seed.

SEED MIXTURE		lbs/acre
Hycrest wheatgrass	<u>Agropyron cristatum</u>	5
Pubescent wheatgrass	<u>Agropyron trichopphorum</u>	4
Ladak alfalfa	<u>Medicago sativa</u>	1

If it is not possible to drill the seed because of slope limitations, then the seed can be broadcast. If the seed is broadcast, then the application rate must be doubled. After broadcasting, the land will be lightly harrowed to bed the seed.

The seed mixture below, which is in addition to the above seed mixture, will not pass through a drill but can be seeded with a dribbler in conjunction with drilling or it may be broadcast:

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DIV. OF OIL, GAS & MINING

SEED MIXTURE

lbs/acre

Fourwing saltbrush

Atriplex canescens

1

5. Revegetation test plots will be developed and monitored.
6. You will keep highwalls to a maximum of 50 feet with slopes not to exceed 45 degrees. Berms, fences or barriers will be constructed above highwalls and excavations.
7. After a period of nonoperation, if a raptor nest is found in the quarry area, you shall notify the Authorized Officer of the Bureau of Land Management 96 hours in advance of resuming activities. Bureau staff shall, within 96 hours, inspect the site. Consultation with Fish and Wildlife Service may be required under Section 7 of the Endangered Species Act.
8. You will remove all solid waste except for overburden, reject rock, and subeconomic ore from the site and take it to an authorized landfill. There is to be no burial or burning of trash.
9. Human waste will be contained in a chemical toilet.
10. You shall immediately report to the Authorized Officer any cultural and/or paleontological resource (historic or prehistoric artifacts or structures) discovered on public land. All operations in the immediate area of such a discovery will be suspended until written authorization to proceed is issued by the Authorized Officer. It is your responsibility to ensure there is no removal or destruction of historic and prehistoric remains on public lands by them or their employees or contractors.
11. You will not dispose of any waste oil or petroleum products on public lands. You will properly contain and remove all waste oil to an authorized waste oil disposal facility. If any petroleum products are spilled, you must immediately contain the spill, remove and dispose of the substance spilled and all contaminated soil in an authorized disposal site.
12. During the month of May, if sheep are present along the haul road, you will abide by a speed limit of 25 miles per hour to avoid disrupting the sheep grazing on the Riley Springs allotment.
13. You must control any noxious weeds that may occur in the active mine area or the reclaimed portions.

If you have any questions, please feel free to contact Sheri Wysong at (435) 743-3124.

Sincerely,



Larry Garahana
Geologist

cc: Tom Munson, UDOGM (M/023/024)